



05-10-07

Atty. File No. 207,697

IAP6 Rec'd PCT/PTO 08 MAY 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/589,704  
Filed : August 15, 2006  
Applicant(s) : Bruce William ROSS  
Title : PHYSICAL TRAINING APPARATUS  
Customer No. : 38137

"Express Mail" label No.	ER 059 678 565 US
Date of Deposit:	May 8, 2007
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	J. David Daing
Signature:	

May 8, 2007

RESPONSE TO NOTICE OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22323-1450

Sir:

This responds to the above-identified Notice dated April 10, 2006. We now submit an executed declaration, a copy of said Notice and a check for \$65.00 for the surcharge fee.

In connection with our enclosed payment, please charge any additional sum required or credit any overpayment to Deposit Account No. 01-0035 of the undersigned counsel.

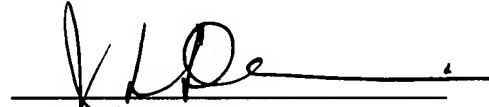
05/11/2007:JBALINAN 00000141 10589704

01 FC:2617

65.00 DP

If any extension of time or additional extension of time is required, please consider this as a petition for same and please charge the required fee to said deposit account. A duplicate copy of this letter is enclosed.

Respectfully submitted,  
ABELMAN, FRAYNE & SCHWAB

A handwritten signature in black ink, appearing to read 'J. Dainow', is written over a horizontal line.

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PCT/7#



05/16/07

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,704	Bruce Williams Ross	207,697

INTERNATIONAL APPLICATION NO.
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PCT/AU05/00212

I.A. FILING DATE	PRIORITY DATE
02/18/2005	02/18/2004

38137

ABELMAN, FRAYNE & SCHWAB  
 666 THIRD AVENUE, 10TH FLOOR  
 NEW YORK, NY 10017

CONFIRMATION NO. 8800

371 FORMALITIES LETTER



\*OC000000023295799\*

Date Mailed: 04/10/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/16/2006
- Copy of the International Search Report filed on 08/16/2006
- Information Disclosure Statements filed on 08/17/2006
- Oath or Declaration filed on 08/16/2006
- Request for Immediate Examination filed on 08/16/2006
- U.S. Basic National Fees filed on 08/16/2006
- Priority Documents filed on 08/16/2006
- Specification filed on 08/16/2006
- Claims filed on 08/16/2006
- Abstracts filed on 08/16/2006
- Drawings filed on 08/16/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

# SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,704	PCT/AU05/00212	207,697